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JULIO MENDOZA MADRIGAL

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
JULIO MENDOZA MADRIGAL, and  
HEATHER LEIGH ROMOSER,  
  
Defendants.

Case No.: 2:21-cr-0110 DAD

STIPULATION AND ORDER  
CONTINUING STATUS CONFERENCE  
AND EXCLUDING TIME UNDER THE  
SPEEDY TRIAL ACT

Date: November 21, 2023  
Time: 9:30 a.m.  
Court: Hon. Dale A. Drozd

This matter is presently set for a status conference on November 21, 2023. By this stipulation, Defendants Julio Mendoza Madrigal and Heather Romoser request to continue the matter for a further status conference/potential change of plea hearing to December 12, 2023. Plaintiff United States of America by and through Assistant United States Attorney Angela Scott, and Attorney Todd Leras on behalf of Defendant Julio Mendoza Madrigal, and Attorney Toni White on behalf of Defendant Heather Romoser, stipulate as follows:  
ORDER CONTINUING STATUS  
CONFERENCE

- 1       1. This case has previously been deemed complex, in part, based on the investigative  
2       procedures used (including court authorized interceptions of telephone calls) and the  
3       volume of discovery which currently consists of more than 115,000 pages of  
4       materials. These discovery materials include investigative reports, photographs,  
5       wiretap interception requests, and hundreds of hours of intercepted conversations  
6       between various participants in both English and Spanish.
- 7  
8       2. Defendant Julio Mendoza Madrigal is housed at the Wayne Brown Correctional  
9       Facility (WBCF) in Nevada City, California. WBCF is approximately sixty-five  
10      miles from his defense counsel's downtown Sacramento office. Defendant Mendoza  
11      Madrigal's primary language is Spanish. He can communicate in English but  
12      requires the assistance of a Spanish language interpreter when discussing complex  
13      matters such as negotiated resolution of the case, application of sentencing guidelines  
14      to the charged facts, and how a district court selects a sentence. Attorney travel for  
15      client visits continues to be a necessary part of discovery review, resolution  
16      discussions, and defense preparation in this case.
- 17  
18      3. Both defendants are considering potential negotiated resolutions. Both defendants are  
19      also engaged in continuing review of the voluminous discovery materials, and  
20      investigation of potential defenses as well as exploration of mitigation evidence in the  
21      event of negotiated settlement. The assistance of a Spanish interpreter for Mr.  
22      Mendoza Madrigal is required to ensure that he fully understands his rights and the  
23      potential sentencing guidelines variables applicable to his case. His counsel is  
24      currently conducting legal research to answer some of Mr. Mendoza Madrigal's  
25  
26  
27

- 1 questions about these sentencing guidelines variables.
- 2 4. Defense counsel for both defendants require additional time to continue their review
- 3 of the discovery materials with their respective clients and to conduct defense
- 4 investigation stemming from them. Both defendants are simultaneously
- 5 investigating potential sentencing mitigation evidence in support of their anticipated
- 6 sentencing requests in the event of a resolution.
- 7
- 8 5. Given the continuing defense review of the discovery materials and investigation of
- 9 matters related to them, Defendants Mendoza Madrigal and Romoser move to
- 10 exclude time between November 21, 2023 and December 12, 2023, inclusive. The
- 11 government does not oppose the request.
- 12
- 13 6. Defense counsel for Defendants Mendoza Madrigal and Romoser represent and
- 14 believe that failure to grant additional time as requested would deny Defendants the
- 15 reasonable time necessary for effective preparation, considering the exercise of due
- 16 diligence.
- 17
- 18 7. Based on the above-stated facts, Defendants jointly request that the Court find that the
- 19 ends of justice served by continuing the case as requested outweigh the best interest
- 20 of the public and the Defendants in a trial within the time prescribed by the Speedy
- 21 Trial Act.
- 22
- 23 8. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et*
- 24 *seq.*, within which trial must commence, the time period of November 21, 2023 to
- 25 December 12, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. §
- 26 3161(h)(7)(A), and (B)(ii) and (iv) [Local Codes T-2 and T-4] because it results from
- 27

a continuance granted by the Court at Defendants' request on the basis that the case is complex and that the ends of justice served by taking such action outweigh the best interest of the public and the Defendants in a speedy trial.

9. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

Assistant U.S. Attorney Angela Scott, and Attorney Toni White on behalf of Defendant Heather Leigh Romoser, have reviewed this stipulation and proposed order and authorized Todd Leras via email to sign it on behalf of their respective clients.

DATED: November 15, 2023

PHILLIP A. TALBERT  
United States Attorney

By /s/ Todd D. Leras for  
ANGELA L. SCOTT  
Assistant United States Attorney

DATED: November 15, 2023

By /s/ Todd D. Leras  
TODD D. LERAS  
Attorney for Defendant  
JULIO MENDOZA MADRIGAL

DATED: November 15, 2023

By /s/ Todd D. Leras for  
TONI L. WHITE  
Attorney for Defendant  
HEATHER LEIGH ROMOSER

ORDER CONTINUING STATUS  
CONFERENCE

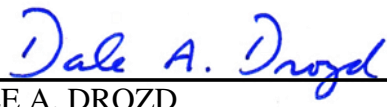
**ORDER**

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the status conference, set for November 21, 2023, is vacated. A new status conference/potential change of plea hearing is set for December 12, 2023, at 9:30 a.m. The Court further finds, based on the representations of the parties and the request of defense counsel, that time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(ii) and (iv) and Local Codes T-2 and T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from November 21, 2023, up to and including December 12, 2023.

Nonetheless, the court notes that in its order of September 21, 2023 setting the November 21, 2023 date, the court stated: “However, the court does not intend to continue the status conference in this case again and counsel are to be prepared to set a trial date, if appropriate at the November 21, 2023 status conference.” (Doc. No. 173 at 5.) Because the court is aware that other considerations may have possibly played some role in the submission of the pending stipulation and request to continue, the court will grant it. **The court will not continue this status conference/potential change of plea hearing again and the parties are directed to be prepared to set a trial date on December 12, 2023, if appropriate.**

IT IS SO ORDERED.

Dated: **November 16, 2023**

  
DALE A. DROZD  
UNITED STATES DISTRICT JUDGE

ORDER CONTINUING STATUS  
CONFERENCE